

# PROCEDURAL TIMELINES

## PROTESTS

ITEM	DUE DATE
<b>Filing of Protest Against Solicitation</b>	<b>Prior to bid opening/receipt of proposals</b>
<b>Filing of Other Protests</b>	<b>Within seven (7) business days of time protester knew or should have known of the grounds of protest <i>or</i> If a debriefing is held, within five (5) business days after the debriefing.</b>
<b>Filing of Request for Suspension of Award or Delay of Procurement</b>	<b>As part of Protest submission.</b>
<b>Product Team response to Request for Suspension</b>	<b>Within two (2) business days of filing of Request, but typically is extended until the initial status conference</b>
<b>Protester's reply to Product Team response to Request for Suspension</b>	<b>Within two (2) business days of Product Team's response</b>
<b>CO notification to ODRA of names, etc., of interested parties, and notification to awardee and other interested parties regarding the filing of the Protest</b>	<b>Immediately upon CO's receipt of a copy of the Protest</b>
<b>Request of awardee or other interested parties to intervene in the Protest</b>	<b>Within two (2) business days of their receipt of notification of the Protest</b>
<b>ODRA Status Conference – parties are encouraged to engage in "Informal Communications" to explore settlement and/or to agree on an ADR method to be employed.</b>	<b>Convened within five (5) business days of filing of Protest or as soon as practicable thereafter.</b>

<b>Parties notify ODRA of desire for ADR via a joint statement and an executed ADR Agreement detailing desired form of ADR and the Neutral/Compensated Neutral to be used</b>	<b>Within five (5) business days after ODRA Status Conference.</b>
<b>ADR Proceedings</b>	<b>To be complete within twenty (20) business days of filing of ADR Agreement.</b>
<b>"Default Adjudicative Process" Commences -- "Product Team Response" to be submitted to ODRA, protester and interested party intervenors.</b>	<b>Within ten (10) business days of ODRA Status Conference, if ADR is not to be used <i>or</i> in accordance with a schedule issued by the ODRA DRO or Special Master, where ADR has not been successful.</b>
<b>"Default Adjudicative Process" -- Comments on Product Team Response to be filed with ODRA by Protester/Interested Party Intervenor(s) with copies to other parties</b>	<b>Within five (5) business days of filing of Product Team Response with the ODRA <i>or</i> within five (5) business days of the party's receipt of the Product Team Response, whichever is longer.</b>
<b>"Default Adjudicative Process" -- Dispute Resolution Officer ("DRO") or Special Master is appointed by the ODRA Director to conduct "fact findings"</b>	<b>During or shortly after the ODRA Status Conference.</b>
<b>"Default Adjudicative Process" – discovery, hearings and submissions/briefs</b>	<b>All at the discretion of the DRO or Special Master</b>
<b>"Default Adjudicative Process" – Findings, Recommendations and Proposed Decision by DRO or Special Master</b>	<b>Within thirty (30) business days of commencement of "Default Adjudicative Process"</b>

<b>ODRA review of/comments on DRO/Special Master Findings, Recommendations and Proposed Decision and forwarding of same to the Administrator</b>	<b>Unspecified</b>
<b>Administrator's Order</b>	<b>Unspecified</b>
<b>Appeal pursuant to 49 U.S.C. §46110</b>	<b>Within sixty calendar days of service of Administrator's Order</b>

### **CONTRACT DISPUTES**

<b>ITEM</b>	<b>DUE DATE</b>
<b>Filing of Contract Dispute</b>	<b>Within two (2) years after dispute accrues  <i>or</i>  Before contractor's acceptance of final contract payment, if earlier.</b>
<b>"Informal Communications" – parties achieve settlement, agree on an ADR method <i>or</i> determine to utilize the "Default Adjudicative Process"</b>	<b>Within the first twenty (20) business days after contract dispute is filed.</b>
<b>File with the ODRA either: (1) a joint statement indicating the desire to use ADR, together with an executed ADR Agreement, specifying ADR techniques and whether Neutral is to be appointed by ODRA or Compensated Neutral is to be utilized; <i>or</i> (2) joint or separate statement(s) explaining why ADR will not be used.</b>	<b>By the end of the twenty (20) business day "Informal Communications" period, or within an additional twenty (20) business days, as allowed by the ODRA, where informal resolution "appears probable."</b>
<b>ADR Proceedings</b>	<b>To be complete within forty (40) business days of filing of executed ADR Agreement.</b>

<b>"Default Adjudicative Process" commences and Dispute Resolution Officer ("DRO") or Special Master is appointed by the ODRA Director to conduct "fact findings".</b>	<p><b>Upon parties' filing with the ODRA of a joint or separate statement(s) which indicate(s) either:</b></p> <p><b>(1) that the parties will not be using ADR</b></p> <p><i>Or</i></p> <p><b>(2) that ADR has failed to achieve a complete resolution of the dispute</b></p>
<b>ODRA Status Conference</b>	<b>Within ten (10) business days of commencement of "Default Adjudicative Process."</b>
<b>"Default Adjudicative Process" – Product Team files "Dispute File" containing relevant documents that are chronologically arranged, indexed and separately tabbed</b>	<b>Within twenty (20) business days of commencement of "Default Adjudicative Process."</b>
<b>Contractor files any "Dispute File" supplement, containing additional relevant documents that are chronologically arranged, indexed and separately tabbed</b>	<b>At time established by the DRO/Special Master</b>
<b>"Default Adjudicative Process" – discovery, hearings and submissions/briefs</b>	<b>All at the discretion of the DRO or Special Master</b>
<b>"Default Adjudicative Process" – Findings &amp; Recommendations by DRO/ Special Master</b>	<b>Within thirty (30) business days after final submissions are filed with the DRO/Special Master and the ODRA.</b>
<b>ODRA forwards to Administrator its comments on DRO/Special Master Findings &amp; Recommendations</b>	<b>Unspecified</b>
<b>Administrator's Order</b>	<b>Unspecified</b>
<b>Appeal pursuant to 49 U.S.C. §46110</b>	<b>Within sixty days of service of Administrator's Order</b>